



**The Corporation of the Town of Essex**

**Regular Council Meeting Minutes**

**This meeting was held electronically during a time of Declared Emergency pursuant to Town of Essex By-Law 1902**

September 21, 2020, 6:00 pm

Location: <https://www.youtube.com/user/EssexOntario>

Present: Mayor Larry Snively  
Deputy Mayor Richard Meloche  
Councillor Joe Garon  
Councillor Morley Bowman  
Councillor Kim Verbeek  
Councillor Steve Bjorkman  
Councillor Chris Vander Doelen  
Councillor Sherry Bondy

Regrets: Cameron Soucie, Youth Council Member

Also Present: Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk  
Shelley Brown, Deputy Clerk, Legal and Legislative Services  
Chris Nepszy, Chief Administrative Officer  
Doug Sweet, Director, Community Services/Deputy CAO  
Jeffrey Morrison, Director, Corporate Services/Treasurer  
Lori Chadwick, Director, Development Services  
Kevin Girard, Director, Infrastructure Services

**1. Call to Order**

Mayor Snively called the meeting to order at 6:02 PM.

**2. Closed Meeting Report**

Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk, provided a verbal report on the Closed Meeting held on Monday, September 14, 2020. He reported that Council met electronically in a Closed Session, as permitted to do so by Section 239 (2) (b) of the Municipal Act, s.o. 2001 c.25 as amended.

At the Closed meeting Council received information as it relates to discussion with regards to personnel matters about an identifiable individual(s) including municipal or local board employee(s) and gave Council direction.

**3. Declarations of Conflict of Interest**

There were no declarations of conflict of interest noted at this time.

**4. Adoption of Published Agenda**

#### **4.1 Regular Council Meeting Agenda for September 21, 2020**

##### **R20-09-333**

Moved By Councillor Vander Doelen

Seconded By Councillor Bowman

**That** the published agenda for the September 21, 2020 Regular Council Meeting be adopted as amended:

1. That Elise Harding-Davis, African Heritage Consultant be added as a delegate, and that in the event she electronically joins Council at the meeting that Agenda item 15.2.2 is brought forward for discussion at that time as part of the delegation; and
2. Deputy Mayor Meloche has a Notice of Motion to be presented this evening as agenda item 15.3.2, for consideration at the next Regular Meeting of Council.

**Carried**

#### **5. Adoption of Minutes**

##### **5.1 Regular Council Meeting Minutes for September 8, 2020**

##### **R20-09-334**

Moved By Councillor Bjorkman

Seconded By Councillor Garon

**That** the minutes of the Regular Council Meeting held September 8, 2020, be adopted as circulated.

**Carried**

#### **6. Public Presentations**

##### **6.1 Brian Curtis, DB Media**

RE: Billboard Sign Request - Third Party Signs

Mr. Curtis appeared before Council asking that their request for two billboard signs be approved and to answer any questions they may have.

##### **6.1.1 Planning Report 2020-24**

RE: DB Media Billboard Sign Request

- 2015 Planning Report 2015-15 Sign By-Law, By-Law 1350 and Off-Site Sign Guidelines
- Sign Application
- By-Law 1946 Being a by-law regulating the erection of signs in the Town of Essex

##### **R20-09-335**

Moved By Councillor Verbeek

Seconded By Deputy Mayor Meloche

**That** the presentation by Brian Curtis, representing DB Media asking that Council consider their request for two permanent off-site advertising

signs at two locations in the Town of Essex and Planning Report 2020-24, entitled "DB Media Billboard Sign Request", prepared by Jeff Watson, Planner, dated September 21, 2020, be received; and

**That** Council approves the erection of two (2) permanent off-site advertising signs (billboards) on the agricultural lands at the following locations: on the farm east of 15647 County Road 8 and at 2776 County Road 20 East, with the provisions listed in the report; and

**That** By-Law 1946, being a by-law regulating the erection of signs in the Town of Essex, be read a first, a second and a third time and finally passed on September 21, 2020.

**Carried**

**7. Unfinished Business**

**8. Reports from Administration**

**8.1 Chief Administrative Officer (CAO), Chris Nepszy Verbal Report**

RE: COVID-19 Town Response and Updates

- Office of the CAO Report 2020-07RE: Hybrid Council MeetingsPower Point - Regular Meeting of Council During COVID-19

Chris Nepszy, CAO advised Council that this would be the last verbal update at Council meetings with respect to COVID-19 and this item would no longer be a verbal agenda item unless circumstances require otherwise. Any further updates for COVID-19 will be done as a written report.

Mr. Nepszy further advised that his report this evening on Hybrid Council Meetings is bring brought forward for their consideration, to build and possibly expand on for future meetings.

Jack Barron, Manager, Information Technology, provided a power point presentation on Hybrid Council Meetings.

**R20-09-336**

Moved By Councillor Vander Doelen

Seconded By Councillor Bowman

**That** the Chief Administrative Officer's update on COVID-19 Town Response and Updates and Office of the CAO Report 2020-07, entitled "Hybrid Council Meetings", prepared by Chris Nepszy, Chief Administrative Officer, dated September 21, 2020, be received; and

**That** Council approves a hybrid form of regular council meetings in the form and manner outlined as Option 3 in the report, commencing October 5, 2020, with such meetings to be based from and held in the County of Essex Council Chambers.

**Carried**

**8.2 Drainage Report 2020-10**

RE: Appointment of an Engineer under Section 78 of the Drainage Act to replace a bridge on the Long Marsh Drain

**R20-09-337**

Moved By Councillor Bowman

Seconded By Councillor Bondy

**That** Drainage Report 2020-10, entitled "Appointment of an Engineer under Section 78 of the Drainage Act to replace a bridge on the Long Marsh Drain", prepared by Lindsay Dean, Drainage Superintendent, dated September 8, 2020 be received; and

**That** Council appoint Rood Engineering Incorporated under Section 78 of the Drainage Act for a replacement bridge on the Long Marsh Drain.

**Carried**

**8.3 Capital Works and Infrastructure Report 2020-07**

RE: Engineering Services for Bridge Rehabilitation

**R20-09-338**

Moved By Deputy Mayor Meloche

Seconded By Councillor Bjorkman

**That** Capital Works and Infrastructure Report 2020-07, entitled "Engineering Services for Bridge Rehabilitation", prepared by Kevin Girard, Director, Infrastructure Services, dated September 21, 2020, be received; and

**That** Council awards the Engineering Services for Bridge Rehabilitation (RFP-ID-20-019) to RC Spencer Associates Inc. in the amount of \$50,371.20 including all non-refundable HST; and

**That** Council approves the additional funding of \$10,371.20 above the approved 2020 Capital Budget of \$40,000.00 for Engineering for Various Bridges and Culverts from the Town's Asset Management Lifecycle Reserve.

**Carried**

**8.4 Infrastructure Services Report 2020-08**

RE: Policy for Vulnerable Children Warning Signage

- Vulnerable Children Signage Policy (DRAFT)
- Vulnerable Children Warning Signage Application

Kevin Girard, Director, Infrastructure Services provided Council with a summary of the report

**R20-09-339**

Moved By Councillor Bjorkman

Seconded By Councillor Verbeek

**That** Infrastructure Services Report 2020-08, entitled "Policy for Vulnerable Children Warning Signage", prepared by Kevin Girard, Director, Infrastructure Services, dated September 21, 2020, be received; and

**That** Council adopts Infrastructure Services Policy #039 titled "Vulnerable Children Signage Policy"; subject to the following changes:

1. That the physician's statement requirement is to be only for the purpose of confirming the fact of the disability and the nature of the need to be accommodated; and
2. The maximum age for the policy be 16 years, subject to extensions when and as required, as determined by the Director, Infrastructure Services acting reasonably; and

**That** Council authorizes and directs the Infrastructure Services Department to only install "children at play" signs, or variations thereof, within community areas such as parks, schools, and other institutions whose main purpose is to provide services for children.

**Carried**

**8.5 Planning Report 2020-21**

RE: Release of Securities for Pollard Harrow Development (Ward 4)

- Correspondence from Rood Engineering Inc.RE: Pollard Harrow DevelopmentProject REI2017D013

**R20-09-340**

Moved By Councillor Bjorkman

Seconded By Councillor Garon

**That** Planning Report 2020-21, entitled "Release of Securities for Pollard Harrow Development (Ward 4)", prepared by Rita Jabbour, Manager, Planning Services, dated September 21, 2020, be received; and

**That** performance securities in the amount of \$183,422.41, be returned to the Developer, Anderdon Developments LTD.

**Carried**

**8.6 Planning Report 2020-23**

RE: Site Specific Zoning Amendment (101 Poplar Bluff Drive, Colchester South, Ward 3)

- Power Point Zoning By-Law Presentation
- By-Law 1948Being a by-law to amend By-Law 1037 The Comprehensive Zoning By-Law for the Town of Essex(101 Poplar Bluff Drive)

**R20-09-341**

Moved By Deputy Mayor Meloche

Seconded By Councillor Bowman

**That** Planning Report 2020-23, entitled "Site Specific Zoning Amendment (101 Poplar Bluff Drive, Colchester South, Ward 3)", prepared by Rita Jabbour, Manager, Planning Services, dated September 21, 2020, be received; and

**That** By-Law 1948, being a by-law to amend By-Law 1037, The Comprehensive Zoning By-Law for the Town of Essex, be read a first, a second and a third time and finally passed on September 21, 2020.

**Carried**

**8.7 Fire and Rescue Services Report 2020-04**

RE: Results of Request for Tender - Construction of new Fire Station 2

Fire Chief, Rick Arnel provided Council with a summary of the report and noted changes and the financial implications.

**R20-09-342**

Moved By Councillor Verbeek

Seconded By Deputy Mayor Meloche

**That** Fire and Rescue Services Report 2020-04, entitled "Results of Request for Tender - Construction of New Fire Station 2", dated September 21, 2020, be received; and

**That** Council awards the Request for Tender for Construction of new Fire Station 2 to Bear Construction and Engineering Inc. in the amount of \$3,003,446.40 including non-refundable HST; and

**That** Council approves a total budget amount of \$3,399,031.00 for the construction of the New Fire Station 2 (Project FD-19-0015) which had an approved capital budget amount of \$2,689,849.00 and the remaining unfunded balance of \$709,182.00 be funded through Long Term Debt.

**Carried**

**8.8 Economic Development Report 2020-16**

RE: Building and Development Overview August 2020

- Development Overview
- Building Report

Director, Development Services Lori Chadwick advised of new information in their reports; Development Charges Revenue and Development Charges monthly and year-to-date totals.

Nelson Silveira, Manager, Economic Development provided Council with an overview of the report.

**R20-09-343**

Moved By Councillor Vander Doelen

Seconded By Councillor Bjorkman

**That** Economic Development Report 2020-16, entitled "Building and Development Overview August 2020", prepared by Nelson Silveira, Economic Development Officer, dated September 21, 2020, be received.

**Carried**

**8.9 Economic Development Report 2020-17**

RE: Town of Essex Local Broadband Assessment

During Council's discussion Mayor Snively asked Deputy Mayor Meloche to assume the Chair and vacated his seat.

Deputy Mayor assumed the Chair.

Mayor Snively returned to his seat and assumed the Chair at 8:15 PM.

**R20-09-344**

Moved By Deputy Mayor Meloche

Seconded By Councillor Verbeek

**That** Economic Development Report 2020-17, entitled " Town of Essex Local Broadband Assessment", prepared by Nelson Silveira, Economic Development Officer, dated September 21, 2020, be received for information purposes.

**Carried**

**8.10 Operations Report 2020-04**

RE: Results of Request for Tender - Supply of Bulk Winter Road Salt

**R20-09-345**

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

**That** Operations Report 2020-04, entitled "Results of Request for Tender - Supply of Bulk Winter Road Salt", prepared by Norm Nussio, Manager of Operations and Drainage, dated September 21, 2020, be received; and

**That** Council awards the Request for Tender - Supply of Bulk Winter Road Salt to K + S Windsor Salt Ltd., in the amount of \$424,850.00 including non-refundable HST; and

**That** Council authorizes Operations to fund the 2020-2021 Winter Control budget (Winter Control Material budget for 2020 is \$260,000.00), in the event there is an over expenditure, from contingency reserves (earmarked for Winter Control) due to the unpredictable nature of winter storms.

**Carried**

**9. Reports from Youth Members**

**10. County Council Update**

**11. Correspondence**

**11.1 Correspondence to be received**

Chair to ask Council Members if any correspondence to be moved to 11.2 Receive and Support.

**R20-09-346**

Moved By Councillor Verbeek

Seconded By Deputy Mayor Meloche

**That** correspondence listed as agenda item 11.1.1 from Debbie France be moved to agenda 11.2 for receipt and support.

**Carried**

**R20-09-347**

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

**That** correspondence listed in Agenda Item 11.1 be received and, where indicated, to further share such information with the community using suitable methods of communication.

**Carried**

**11.1.1 Union Water Supply System - Joint Board of Management**

Agenda - September 16, 2020

**11.1.2 Oxley Estate Winery**

RE: Business Relaunch Grant

Correspondence dated September 14, 2020 thanking Council for the \$500 grant they received to help offset extraordinary costs of reopening the winery to ensure compliance with the Province and local regulations.

**11.1.3 Tribunals Ontario**

RE: Assessment Review Board Changes - Status

Correspondence dated September 15, 2020 providing an update on Assessment Review Board changes.

**11.2 Correspondence to be considered for receipt and support**

**11.2.1 Debbie France**

RE: Stop Illicit Cannabis Grow Operations

Correspondence dated September 13, 2020 asking that Council consider discussing illicit cannabis grow operations in the municipality.

**R20-09-348**

Moved By Councillor Verbeek

Seconded By Deputy Mayor Meloche

**That** correspondence from Debbie France, dated September 13, 2020 asking that Council consider supporting that the Provincial and Federal Government work towards developing a standardized and enforceable solution to stop illicit cannabis grow operations, be received and supported; and

**That** a letter be sent to the Minister of Municipal Affairs and Housing, the Minister of Agriculture, Food and Rural Affairs, the Minister of Health, Essex MP, Chris Lewis, MPP Essex Taras Natyshak and a copy of the correspondence to Debbie France.

**Carried**

**12. Committee Meeting Minutes**



**R20-09-349**

Moved By Deputy Mayor Meloche

Seconded By Councillor Verbeek

**That** the minutes listed in Agenda 12, together with any recommendations to Council noted therein, be received, approved and adopted as circulated..

**Carried**

**12.1 Co-An Park Minutes**

- August 18, 2020
- September 9, 2020 Recommendation to Council (CAP-2020-09-37) That the 2021 Co-An Park Budget be accepted and forwarded to towns for approval.

**12.2 Personnel Committee - August 26, 2020 (Open Meeting)**

**13. Financial**

**13.1 August 2020 Bank Payments Report**

**R20-09-350**

Moved By Councillor Bjorkman

Seconded By Councillor Garon

**That** the Bank Payments Report, including the August cheque register, cheque number 51725 to cheque number 51854 inclusive in the amount of \$2,561,427.85, the Preauthorized Payments for the month of August in the amount of \$326,741.70; and Payroll for month of August in the amount of \$377,824.96, be ratified as submitted.

**Carried**

**14. New Business**

**15. Notices of Motion**

**15.1 Notice of Motion deferred at the September 8, 2020 Regular Council Meeting until tonight's meeting for Council's consideration:**

**15.1.1 Councillor Verbeek**

RE: School Bus Stop Arm Cameras

**R20-09-351**

Moved By Councillor Verbeek

Seconded By Councillor Bondy

**That** in light of the correspondence shared by the province regarding regulatory framework changes in the Provincial Offences Act (August 24, 2020 Agenda item 11.1.1.6) and the new Ontario school bus stop arm cameras (August 24, 2020 Agenda item 11.1.5), that Council have a discussion on the feasibility of implementing this kind of safety measure; and

**That** further Administration be directed to prepare a report on the feasibility of this initiative, including the provisions of public education concerning the new regulations thereof.

Carried

**15.2 The following Notices of Motions were presented at the September 5, 2020 Regular Council Meeting and are being brought forward this evening for Council's consideration:**

15.2.1 Councillor Bondy RE: Five Year Roads Plan

Councillor Bondy withdrew her Notice of Motion.

15.2.2 Councillor Bondy RE: Emancipation Day

**R20-09-352**

Moved By Councillor Bondy

Seconded By Deputy Mayor Meloche

**That** August 1st be declared as Emancipation Day in the Town of Essex.

Carried

**15.3 The following Notice of Motion is being presented this evening and will be brought forward at the October 5, 2020 Regular Council Meeting for Council's consideration:**

15.3.1 Councillor Bjorkman

RE: "Bird Banger" Use

That Administration be directed to review the Town's noise by-law, specifically to the use of "Bird Bangers" in our agricultural zoned areas, and to use Best Management Practices outlined in the Farming and Food Production Protection Act (FFPPA) 1998 for reference.

15.3.2 Deputy Mayor Meloche

RE: McGregor Sewage

That Council direct Administration to investigate the feasibility of partnering with the Town of Amherstburg with respect to the operations and ownership of the McGregor sanitary system.

**16. Reports and Announcements from Council Members**

Each Council member was provided an opportunity to discuss their latest news and activities in the municipality.

**17. By-Laws**

**17.1 By-Laws that require a third and final reading**

17.1.1 By-Law 1920

Being a by-law to provide for the Crystal Beach Drain: Repair and Improvement of Covered Drains, Geographic Township of Colchester South, Town of Essex, County of Essex, Project REI2018D012

**R20-09-353**

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

**That** By-Law 1920 being a by-law to provide for the Crystal Beach Drain: Repair and Improvement of Covered Drains, Geographic Township of Colchester South, Town of Essex, County of Essex, Project REI2018D012, be read a third time and finally passed on September 21, 2020.

#### 17.1.2 By-Law 1945

Being a by-law to confirm the proceedings of the September 8, 2020, Regular Meeting of the Council of The Corporation of the Town of Essex

##### **R20-09-354**

Moved By Deputy Mayor Meloche

Seconded By Councillor Vander Doelen

**That** By-Law 1945 being a by-law to confirm the proceedings of the September 8, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally passed on September 22, 2020.

**Carried**

## **17.2 By-Laws that require a first, second, third and final reading**

#### 17.2.1 By-Law 1947

Being a by-law to authorize the execution of a lease agreement between the Town of Essex and Project HOPE Windsor-Essex for property to operate a pantry adjacent to the Harrow and Colchester South Recreation Complex located at 243 McAfee Street, Harrow, Ontario

##### **R20-09-355**

Moved By Councillor Vander Doelen

Seconded By Councillor Verbeek

**That** By-Law 1947 being a by-law to authorize the execution of a lease agreement between the Town of Essex and Project HOPE Windsor-Essex for property to operate a pantry adjacent to the Harrow and Colchester South Recreation Complex located at 243 McAfee Street, Harrow, Ontario, be read a first, a second and a third time and finally passed on September 21, 2020.

**Carried**

#### 17.2.2 By-Law 1949

Being a by-law to authorize the borrowing of money to meet current expenditures of The Corporation of the Town of Essex

##### **R20-09-356**

Moved By Councillor Bjorkman

Seconded By Councillor Garon

**That** By-Law 1949 being a by-law to authorize the borrowing of money to meet current expenditures of The Corporation of the Town of Essex, be read a first, a second and a third time and finally passed on September 21, 2020.

**Carried**

#### 17.2.3 By-Law 1950

Being a by-law regulating the erection of signs in the Town of Essex  
(108 County Road 50 East)

##### **R20-09-357**

Moved By Councillor Bowman

Seconded By Councillor Vander Doelen

**That** By-Law 1950 being a by-law regulating the erection of signs in the Town of Essex, be read a first, a second and a third time and finally passed on September 21, 2020.

Councillor Bondy requested a recorded vote.

##### **R20-09-358**

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

**That** Bernard Gorski be allowed to speak and address Council's questions.

**Carried**

##### **R20-09-359**

Moved By Deputy Mayor Meloche

Seconded By Councillor Bondy

**That** By-Law 950, being a by-law regulating the erection of signs in the Town of Essex, be tabled until the next regular council meeting.

**Carried**

#### 17.2.4 By-Law 1953

Being a by-law to enter into an Agreement between The Corporation of the Town of Essex and its Non-Union Employees

##### **R20-09-360**

Moved By Councillor Bowman

Seconded By Councillor Garon

**That** By-Law 1953 being a by-law to enter into an Agreement between The Corporation of the Town of Essex and its Non-Union Employees, be read a first, a second and a third time and finally passed on September 21, 2020.

**Carried**

### **17.3 By-Laws that require a first and second reading**

#### 17.3.1 By-Law 1951

Being a by-law to confirm the proceedings of the September 21, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex

**R20-09-361**

Moved By Councillor Vander Doelen

Seconded By Councillor Bjorkman

**That** By-Law 1951 being a by-law to confirm the proceedings of the September 21, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a first and a second time and provisionally adopted on September 21, 2020.

**Carried**

**18. Adjournment**

**R20-09-362**

Moved By Deputy Mayor Meloche

Seconded By Councillor Bowman

**That** the meeting be adjourned at 9:53 PM.

**Carried**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk